devices and combustibles. Other incidents involve improper operation of the appliance, such as by overfiring it or using flammable liquids to start the fire. Still other incidents occur when appliances are improperly maintained and develop mechanical defects or excessive deposits of flammable creosote.

(b) After considering the available data on the causes of fires in these appliances, the Commission concludes that there is an unreasonable risk of injury associated with appliances that are sold without notifying consumers of the information they need to prevent many of these occurrences. Accordingly, the Commission has determined that disclosure of the information required by §1406.4 is necessary to help the Commission in carrying out the purposes of the Consumer Product Safety Act of (1) helping to protect the public against unreasonable risks of injury associated with consumer products and (2) assisting consumers in evaluating the comparative safety of consumer products.

(c) The Commission has also determined that in carrying out these purposes of the act, it is necessary for manufacturers to provide to the Commission a copy of the information provided to consumers and a statement of the reasons why some of the information was selected, in accordance with §1406.5.

[48 FR 21914, May 16, 1983, as amended at 48 FR 50706, Nov. 3, 1983]

§1406.3 Definitions.

For the purposes of this rule:

(a) *Coal and wood burning appliances* means fireplace stoves, room heater/fireplace stove combinations, cookstoves and ranges, and radiant and circulating heaters. It does not include central heating units, masonry fireplaces and chimneys, fireplace inserts, or factory built fireplaces (zero clearance fireplaces).

(b) *Central heating units* include boilers, furnaces, and furnace add-ons. These appliances are designed to be connected to hot water distribution or ductwork systems for heating several rooms. The furnace add-on converts an existing gas, oil, or electric heating system to one capable of using solid fuel as well as its original fuel.

(c) A *chimney* is a vertical or nearly vertical enclosure containing one or more passageways called flue passages for conveying combustion wastes to the outside atmosphere.

(d) A *chimney connector* is the stovepipe which connects the appliance flue with the chimney flue.

(e) *Cookstoves and ranges* are chimney connected solid fuel burning appliances that are used primarily for cooking. In addition to the firechamber, there may be one or more ovens or warmer compartments and several removable cooking space pothole lids. The intensity of the fire is controlled by damper and draft regulators.

(f) A *factory built fireplace* is a firechamber and chimney assembly consisting entirely of factory made parts. It is designed for component assembly without requiring field construction. These ''zero clearance'' units are fabricated for safe installation against combustible surfaces and for burning fireplace fuel.

(g) *Fireplace inserts* are heating units that fit into a fireplace and connect to the fireplace flue. These units function like radiant and circulating heaters.

(h) A *fireplace stove* is a freestanding, chimney-connected firechamber which is constantly open to view. It is designed to burn regular fireplace fuel and function as a decorative fireplace.

(i) A *masonry chimney* is a chimney field-constucted of solid masonry units, brick, stones, or reinforced concrete.

(j) A *masonry fireplace* is an open firechamber built into a structure along with a chimney and hearth. It is constructed of solid masonry units such as bricks, stones, or reinforced concrete.

(k) *Radiant and circulating heaters* have firechambers which may be airtight[1] or non-airtight and are available in a number of sizes, shapes, and designs. The firechamber is closed in use, but there may be a window of specially formulated glass for viewing the fire. Drafts and dampers are used to control

[1] An airtight stove is defined as ''A stove in which a large fire can be suffocated by shutting the air inlets, resulting ultimately in a large mass of unburned fuel remaining in the stove.'' Jay W. Shelton, *Wood Heat Safety*, Garden Way Publishing, Charlotte, Vermont (1979), p. 160.

the burning process. There may be a secondary combustion chamber, baffles, a thermostat, a blower, or other components which function to improve combustion efficiency or to control heat output. The primary function of these appliances is as space heaters. However, some have lift-off cooking pothole lids, and the top surface of most can be used for cooking. The fuel may be wood, coal, or both. Radiant heaters transmit heat primarily by direct radiation. Circulating heaters have an outer jacket surrounding the fire chamber. Air enters from the bottom, is warmed by passing over the fire chamber, and exits at the top. Movement is by natural convection or forced air circulation.

(l) A ''room heater/fireplace stove combination'' is a freestanding, chimney-connected fire chamber with doors. It is designed to be used to burn fireplace fuels with the firechamber either open or closed to view. This appliance functions as a decorative fireplace when the doors are open and as a nonairtight heater when the doors are closed.

[48 FR 21914, May 16, 1983]

§ 1406.4 Requirements to provide performance and technical notice to prospective purchasers and purchasers.

Manufacturers, including importers, of coal and wood burning appliances as defined in §1406.3 shall give notification of performance and technical data related to performance and safety to prospective purchasers at the time of original purchase and to the first purchaser of such products for purposes other than resale, in the manner set forth below:

(a) *Written notice on appliance.* (1) The appliance shall bear a legible notice containing the following performance and technical data.

(i) Appropriate minimum clearances from unprotected combustibles to avoid the occurrence of fire.[2] The clearances shall include:

(A) Distance from the back and sides of the appliance, and the chimney connector, to walls, stated in diagrammatic form.

(B) Distance to be maintained between the chimney connector and ceilings, in either diagrammatic or written form.

(ii) Type and dimensions of floor protection, if necessary to protect combustible floors.

(iii) Proper type(s) of chimney and chimney connector to be used with the appliance. This information should include the proper designations so that the chimney and chimney connector are of suitable design and construction to withstand the temperature of the flue gases and other probable environmental stresses and so that the inside dimensions are suitable to adequately vent the products of combustion. See Figs. 1 and 2 for examples of an acceptable designation for a chimney and chimney connector.

(iv) Identification of parts or precautions required for passing a chimney through combustible walls or ceilings or for passing a chimney connector through combustible walls. The following statement is an example of one that complies with this requirement:

> Special methods are required when passing through a wall or ceiling. See instructions or building codes.

(v) A statement not to overfire the appliance, and a description of at least 1 condition which signals overfiring.

(vi) A statement of how often the chimney and chimney connector should be inspected and that it should be cleaned when necessary.

(vii) Information explaining that the appliance should be installed and used only in accordance with the manufacturer's directions and local building codes.

(viii) A direction to contact local building or fire officials about restrictions and installation inspection requirements.

(ix) A statement that furnishings and combustible materials should be kept a

[2] Appropriate distances are to be determined by the manufacturer. The Commission expects that test procedures utilized by a nationally recognized testing organization would be suitable for determining appropriate distances.